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UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/691,387 Confirmation No. : 8628

First Named Inventor : Mark WERNER

Filed : October 22, 2003

TC/A.U. : 1645

Examiner : Unassigned

Docket No. : 101919.56851C3

Customer No. : 23911

Title : M. Cantis Containing Ringworm Vaccine

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 AND 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO/SB/08 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

☒ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

☐ 2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (*Ex parte Quayle*), (whichever is earlier), and therefore Applicant is filing concurrently herewith:

☐ a Statement under 37 C.F.R. § 1.97(e); or

☐ a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

☐ 3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:

a Statement under 37 C.F.R. § 1.97(e); and

a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

II. Statement Under 37 C.F.R. § 1.97(e)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

☐ I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or

III. Statement under 37 C.F.R. § 1.704(d)

☐ I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.

IV. Submission of Non-English Language Documents

☐ The following is a concise explanation of relevance of the non-English language documents listed in the attached Form PTO-1449:

☐ The relevance of document(s) _____ to the subject matter of the present invention is/are provided in the specification of the above-identified application.

☐ Corresponding foreign or international report(s) citing document(s) _____, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.

☐ English language family member publication(s) of document(s) _____ is/are noted on Form PTO-1449.

☐ English language abstract(s) is/are submitted for document(s)
_____.

☐ English translation(s) of the foreign language document(s)
_____ is/are submitted herewith.

☐ Applicant submits the following explanations:
_____.

V. Continuations/Divisionals

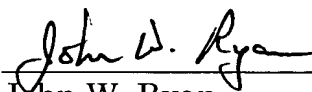
☒ The listed documents on the attached PTO/SB/08 were of record in parent application Serial No. 10/170,638, filed June 14, 2002, which is a continuation of application Serial No. 09/592,417, filed June 13, 2000, now U.S. Patent No. 6,428,789, which is a divisional of application Serial No. 08/483,345, filed June 7, 1995, now U.S. Patent No. 6,132,733, which is a divisional of application Serial No. 07/775,912, filed October 15, 1991, now U.S. Patent No. 5,453,273, which is a continuation of patent application Serial No. 07/341,867, filed April 21, 1989, now abandoned, all from which this application claims benefit. As provided in 37 C.F.R. § 1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent applications.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 101919.56851C3, for the fee set forth in 37 C.F.R. § 1.17(p).

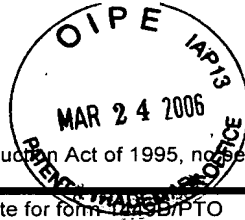
Respectfully submitted,

March 23, 2006



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MODIFIED PTO/SB/08 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1243B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/691,387
Sheet 1 of 5				Filing Date	October 22, 2003
				First Named Inventor	Michael STROBEL
				Group Art Unit	1645
				Examiner Name	Unassigned
				Attorney Docket Number	101919.56851C3

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	2,011,225		KRUEOON et al.	08-1935	
	A2	3,897,550		REYNOLDS	07-29-1975	
	A3	4,368,191		SARKISOV et al.	01-11-1983	
	A4	5,277,904		PIER et al.	01-11-1994	
	A5	6,132,733		WERNER et al.	10-17-2000	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A6	GB	1 548 436		VSESOJUZNY INSTITUT EXPERIMENTALNOI VETERINARII	07-18-1979		
	A7	WO	93/157627			10-1993		
	A8	SU	1734762		VNIIEK VETERINARII	05-23-1992		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A9	ANON, 1988, Willamette Laboratories, 9108 N.E. Sandy Blvd., Portland, OR (USA), Photocopy of typewritten material. Available at: US (Department of Agriculture, National Agricultural Library.	
	A10	BRYDL Abstract. The possibility of controlling ringworms infection of cattle by vaccination.	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

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				Group Art Unit	1645
Examiner Name	Unassigned				
Attorney Docket Number	101919.56851C3				
Sheet	2	of	5		

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ⁶
	A11	BRYDL, Abstract, The possibility of controlling ringworm infection of cattle by vaccination Magyar Allatorvosok LAPJA 1976 32(7) pp. 441-442.		
	A12	BUXTON et al. (1977) Dermatomycoses, Animal Microbiology, vol. 1, Chapter 34, Blackwell Scientific Publications, pp. 313-319.		
	A13	CAT TRACKS, Autumn 1988 pp. 42-45.		
	A14	CHANIS, J.J. Ph.D. thesis, published Feb. 27, 1989, Library of the J.R. Kovalenko-Research-Institute, Moscow only considered to the extent of abstract May 13, 1999.		
	A15	COX, R. A. (1989) Immunology of the Fungal Diseases. pp. 18, 20-21.		
	A16	CRUICKSHANK, et al. (1960) Studies on Trichophyten Sensitivity. J. Invest. Dermatol. 35:219-223.		
	A17	DEBOER "New Thoughts On Management Of Dermatophytosis In Catteries" presented at Robt. H. Winn Foundation 15th Annual Symposium on Feline Health, Jun. 24, 1993, San Antonio, TX.		
	A18	ELAD et al (1989) Fungal Ribosomal Vaccine, Mycopaltrologia 105:49-51.		
	A19	FLORIAN, E. et al., Magyar Allatorvosok Lapja, 19. evf. 12. sz. Dec. 1964, pp. 529-530.		
	A20	FORT DODGE, Iowa 5051, "Microsporum Canis Vaccine, Killed Fungus, Felo-O-Vax MC-K" product description and "United States Biological Product License".		
	A21	HAGERS Handbuch der Pharmazeutischen Praxis, 1971, vol. VII, Springer Verlag.		
	A22	HAJSIG et al. (1974) Veterinary Bulletin (Abstract) 44:360.		
	A23	HEIFITS, Y. (1985) Vaccines Against Ringworm. World Health Forum 6:373-374.		
	A24	HOLT et al. (1990) "Immunization Of Pigs With Killed Cultures of Streptococcus suis type 2" Research in Vet. Science 48:23-27.		

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				First Named Inventor	Michael STROBEL
				Group Art Unit	1645
				Examiner Name	Unassigned
Sheet	3	of	5	Attorney Docket Number	101919.56851C3

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A25	HUSSIN, Z. and J. M. B. Smith (1983) Vaccination Procedures and the Infectivity of Dermatophyte Lesions. Mycopathologia 81:71-76.	
	A26	IBRAGIMOV, E. et al., Animal Diseases in Agriculture, vol. XXX, part 1, 1980, Taskent; Editor: Ministry of Agriculture of the Usbec Socialistic Soviet Republic.	
	A27	JILARYAN et al. abstract Effect of vaccination against ringworm on the course of pregnancy in cows.	
	A28	JILAVYAN et al. (1976) Abstract, Effect of Vaccination Against Ringworm On The Course of Pregnancy In Cows, Byulleten Vsesoyuznogo Institute Eksperimental' noi Veterinari 25: 28-29.	
	A29	KEENEY, E. L. and M. Huppert (1959) Immunization Against Superficial Fungous Infection. J. Invest. Dermatol. 32:7-13.	
	A30	KHANIS AY. The immunization of animals with dermatophyte antigens. Dissertation Abstract. Moscow, 1989, pp. 1-23.	
	A31	KIELSTEIN, P. et al. reprint from the archives for Experimental Veterinary Medicine, vol. 24, No. 5/1970, pp. 1205-1218.	
	A32	KOCHIK (1982) Abstract, Experimental Evaluation Of Live and Killed Vaccines Against Ringworm In Guinea Pigs and Young Cattle, Polskie Archiwum Wet. 72(8) 1343-45.	
	A33	KOOIK T. Abstract Experimental evaluation of Live & Killed vaccines against ringworm in guinea pigs & young cattle.	
	A34	MAYR, A. 35 al., Handbook of Vaccinations in Veterinary Medicine, 1984, Verlag Paul Parey.	
	A35	MORIELLO (1994) Update On The Treatment Of Feline Dermatophytosis, 10th Proceedings, Annual Members' Meeting AAVD and ACVD, Charleston, SC.	
	A36	MOSHER et al. abstract Treatment of ringworm (M. canis) with inactivated fungal vaccine.	
	A37	MOSHER et al. Vet Med/Small Animal Clin 72:1342-5 1977.	
	A38	MOSHER, C. L., K. Langendoen, and P. Stoddard (1977) Treatment of Ringworm (Microsporum canis) with Inactivated Fungal Vaccine. Vet. Med. 72:1343-1345.	

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	A39	O'BRIAN, J. D. P. and K. C. Sellers (1958) A Clinical Trial of the Treatment of Cattle Ringworm. Vet. Record. 70:319-321.		
	A40	O'BRIEN, et al. (1958) A Clinical Trial Of The Treatment Of Cattle Ringworm, Vet. Record. 70:319-321.		
	A41	PABST et al. (1987) Transfer Of Material Specific Cell-Mediated Immunity To The Fetus Clin. Exp. Immunol. 68:209-214 Abstract only.		
	A42	PETZCAR, Microbiology (1958) p. 276.		
	A43	PODOBEDOV Abstract (1971) Specific Prophylaxis of Cattle Ringworm (using live trichophyton faviforme antigen). Veterinariya 1971, No. 6:48-49.		
	A44	RASULEV (1974) Veterinariya Moscow, No. 10:54-56, Immunity to Trichophyton Infection in Cattle (2 versions of Abstract only).		
	A45	RYBNIKAN et al. Vet Med (Praha)(Abstract only) 30:119-28 Feb. 1985 Disinfection for dermatomycoses in veterinary practice.		
	A46	SCHLAMOWITZ Immunol Commun 1976 5 481p-500 Membrane receptors in the specific transfer of immunoglobulins from mother to young, (Abstract only).		
	A47	SCOTT (1980) "Feline Dermatology 1900-1978: A Monograph" Jrnl. Amer. Anim. Hosp. Assoc. 16:331, 354-7, 364, 453.		
	A48	SHERDING, Editor of The Cat Diseases And Clinical Management, Second Edition, vol. 2 pp. 1931-1937.		
	A49	TABER'S CYCLOPEDIA MEDICAL DICTIONARY, p. 1500, Philadelphia 1989.		
	A50	UHLEIN, Rompps Chemisches Worterbuch, 1969, Franckh'sche Verlagshandlung, W. Keller & Co., Stuttgart, p. 366.		
	A51	Veterinary Bulletin (Abstract) 43:613 (1973).		
	A52	Veterinary Bulletin (Abstracts) 44:360 (1974).		

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	A53	Veterinary Bulletin (Abstracts) 45:173 (1975).		
	A54	Veterinary Bulletin (Abstracts) 47:123 (1977).		
	A55	Veterinary Bulletin (Abstracts) 48:425 (1978).		
	A56	WARREN, et al. (1986) Current Status of Immunological Adjuvants, Ann. Rev. Immunol. 4:369-388.q		
	A57	WAWRZKIEWICZ et al, Medycyna Weterynaryjna 43:667-672, 1987, (Abstract only) An In-vivo Evaluation of The Virulence of Trichophyton Strains.		
	A58	WAWRZKIEWICZ, et al. (1988) Polskie Archiwum Weterynaryjne 28:5-16 Abstract only.		
	A59	WAWRZKIEWICZ, K. et al., Annales UMCS (Lublin, sectio DD, 39, 53, 1984, pp. 53-63.		
	A60	WAWRZKIEWICZ, K. et al., J. Polskie Archiwum Weterynaryjne, vol. 28, No. 3-4, 1988, pp. 5-16.		
	A61	WEISS et al. (1978) The most important dermatophytes and dermatomycoses of domestic animals, Tierärztliche Praxis, 6:421-433 Abstract only.		
	A62	WEISS et al. Tierärztliche Praxis 6:421-433 1978. The most important dermatophytes & dermatomycoses of domestic animals.		
	A63	WHARTON, et al. (1950) Active Immunization Trichophyton Purpureum Infection In Rabbits. J. Invest. Dermatol. 14:291-303.		
	A64	WILSON et al. (1970) The Fungus Diseases of Man, U. of Calif. Press, pp. 216-217.		
	A65	WOLOSZYN et al. (1983) Prevalence and specific prevention of Trichophyton Infection in Farmed Foxes, Medycyna Weterynaryjna 39:387-91 Abstract only.		
	A66	ZINSSER'S TEXT BOOK OF MICROBIOLOGY, published 1972 by Appleton-century-copy, New York, N.Y., pp. 206.		

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